

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition)
of the Milk Producers Council,)
et al. for Review of Order)
No. 72-D as Amended of the)
California Regional Water)
Quality Control Board, Santa)
Ana Region.)

Order No. WQ 73-18

BY THE BOARD

On April 9, 1973, the Milk Producers Council, et al. (the "Petitioners") submitted a petition to the State Water Resources Control Board (the "State Board") requesting review of Order No. 72-D, as amended, of the California Regional Water Quality Control Board, Santa Ana Region (the "regional board"). The order was originally adopted on October 6, 1972, and amended on March 8, 1973. Subsequent to the filing of the petition, the Petitioners requested and the State Board granted requests for an extension of time to allow Petitioners to supplement their original petition. Petitioners also filed a request that the State Board stay the effect of Order No. 72-D, as amended, pending disposition of the petitions.

The State Board finds that:

1. The petition regarding the amendment to Order No. 72-D raises issues appropriate for review.
2. The petition to review Order No. 72-D as adopted on October 6, 1972, is untimely.
3. The petition does not establish that a stay of the regional board order is necessary to prevent irreparable harm to Petitioners and that harm to other interested persons and the public interest will not occur if a stay is granted.

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THEREFORE, IT IS ORDERED THAT:

1. The State Water Resources Control Board will review the amendment to Order No. 72-D.
2. Petitioners' request for review of Order No. 72-D as adopted on October 6, is denied.
3. Petitioners' request for a stay of the regional board order is denied without prejudice to renewal of the request in the future.

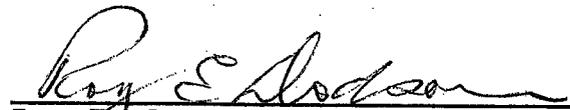
Dated: August 2, 1973



W. W. Adams, Chairman



Ronald B. Robie, Vice Chairman



Roy E. Dodson, Member



Mrs. Carl H. (Jean) Auer, Member



W. Don Maughan, Member